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Attorneys for Plaintiffs

U.S. DISTRICT &  
BANKRUPTCY COURTS

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Cameron J. Clark, Clerk

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, MICHAEL )  
B. HINCKLEY, JACQUELINE T. )  
HILADUN, MARILYN J. CRAIG, )  
JEFFERY P. CLEVINGER, and )  
TIMOTHY C. KAUFMANN, )  
individually and on behalf )  
of those similarly situated, )

Plaintiffs, )

vs. )

MICRON ELECTRONICS, INC., a )  
Minnesota corporation, )

Defendant. )

Case No. CIV 01-0244-S-BLW

**AFFIDAVIT OF DANIEL E.  
WILLIAMS IN SUPPORT OF  
PLAINTIFFS' SECOND MOTION  
TO EXTEND TIME TO RESPOND  
TO DEFENDANT'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT  
RE: PLAINTIFFS' CLAIMS OF  
ALTERING TIMECARDS**

AFFIDAVIT OF DANIEL E. WILLIAMS IN SUPPORT OF PLAINTIFFS' SECOND  
MOTION TO EXTEND TIME TO RESPOND TO DEFENDANT'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT RE: PLAINTIFFS' CLAIMS OF ALTERING TIMECARDS, P. 1

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STATE OF IDAHO    )  
                              )ss.  
County of Ada        )

I, DANIEL E. WILLIAMS, being first duly sworn on oath, depose and say:

1.       I am one of the attorneys for the plaintiffs in this action and have personal knowledge of the facts and matters set forth herein.

2.       Plaintiffs' deadline for filing this motion was accidentally calendared for August 3, 2004, instead of July 20, 2004, which was the date asked for in Plaintiffs' previous Unopposed Motion to Extend Time to Respond to Defendant's Motion for Partial Summary Judgment Re: Plaintiffs' Claims of Altering Employees' Timecards, as set forth in the Affidavit of Glenys McPherson, filed concurrently.

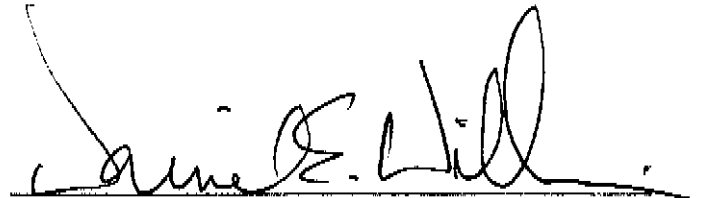
3.       Due to the flurry of motions and responses thereto now pending, including Defendant's Motion of 6/14/04 to Strike Consents and Dismiss Claimants, Micron Electronic, Inc.'s Motion for Partial Summary Judgment Re: Statutes of Limitation dated 6/17/04, Micron Electronic, Inc.'s Motion for Partial Summary Judgment Re: Plaintiffs' Claims of Altering Employees' Timecards dated 6/21/04, Plaintiffs' Motion for Partial Summary Judgment dated 6/16/04, and Plaintiffs' Motion for Protective Order dated 7/23/04, as well as the contemporaneous scheduling of upwards of 30 depositions in this case, I did not catch the error in scheduling referenced in paragraph 2 above.

4.       Plaintiffs request that they have until July 27, 2004, to file their response to Defendant's Motion for Partial Summary Judgment Re: Plaintiffs' Claims of Altering

AFFIDAVIT OF DANIEL E. WILLIAMS IN SUPPORT OF PLAINTIFFS' SECOND  
MOTION TO EXTEND TIME TO RESPOND TO DEFENDANT'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT RE: PLAINTIFFS' CLAIMS OF ALTERING TIMECARDS, P. 2

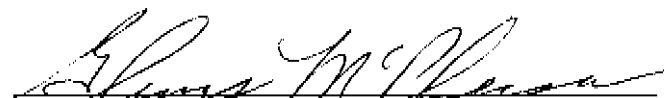
Employees' Timecards ("Defendants' Motion"), and that Defendant have until August 9, 2004 to reply. The hearing on Defendant's Motion is set for August 10, 2004, and no delay in the consideration of Defendants' Motion will result from this brief extension of time.

5. Plaintiffs do not bring this motion to cause unnecessary delay or for any other untoward purpose. Based on the foregoing, Plaintiffs submit that good cause exists for this extension of time.

  
Daniel E. Williams

Subscribed and sworn to before me this 23<sup>rd</sup> day of July, 2004.



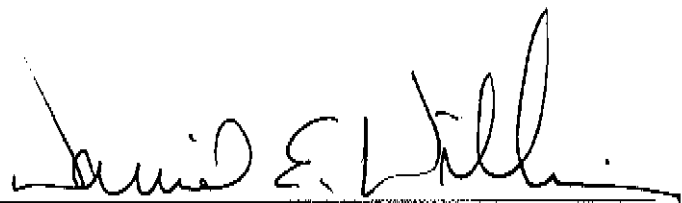
  
Notary Public for Idaho  
Residing at Boise, Idaho  
My Commission Expires: 11/7/06

CERTIFICATE OF SERVICE

I hereby certify that on this 23<sup>rd</sup> day of July, 2004, a true and correct copy of the foregoing instrument was served upon opposing counsel as indicated below:

Kim J. Dockstader  
Gregory C. Tollefson  
STOEL RIVES LLP  
101 S. Capitol Blvd., Suite 1900  
Boise, ID 83702-5958

       Via Hand Delivery  
✓ Via Facsimile 389-9040  
✓ Via U. S. Mail

A handwritten signature in black ink, appearing to read "Daniel E. Williams", written over a horizontal line.

Daniel E. Williams